IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Thomas J. Foster, et al

POST RIP IMAGE RENDERING IN AN
ELECTROGRAPHIC PRINTER USING
DENSITY PATCH FEEDBACK

Serial No. 10/785,677

Filed 24 February 2004

Group Art Unit: 2626

Examiner: Mark E. Wallerson

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Debra Nowacki
Debra Nowacki

2/16/2005
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Transmitted herewith is an amendment in the above-identified application:

| X | No additional fee is required. |

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	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		* HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	24	MINUS	24	0	X 50	$0
INDEP	4	MINUS	4	0	X 200	$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+ 360	$ 0
					TOTAL	$0

* The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

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| X | Any additional filing fees required under 37 CFR 1.16.

| X | Any patent application processing fees under 37 CFR 1.17.
(For Extensions of Time and other Petitions to the Assistant Commissioner)

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(585) 477-4656.

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RESPONSE TO OFFICE ACTION DATED 11/19/04

1.   Claims 1-3, 6-9, 12-15, 18-21 and 24 are rejected as being anticipated by Regelsberger.

In order to make a prima facie case of anticipation, the reference must teach all claim limitations. It is respectfully submitted that Regelsberger fails to disclose rendering the digital bitmap by defining each pixel as either a background pixel, interior pixel, edge pixel, one line pixel, or two line pixel and reassigning the digital value of one or more interior pixels, edge pixels, one line pixels, or two line pixels independently and as a function of the density measurement signal.

The Examiner suggests that the following paragraph teaches this claimed limitation.

"The signal V.sub.MON is compared by a comparator 57b with the signal T.sub.ref and a difference signal .DELTA. is input to a proportional plus integral (P+I) type controller 57a or algorithm that operates as such a controller. The P+I controller is tuned for a relatively fast response to input signals .DELTA. Like V.sub.MON, .DELTA. may change quickly owing to print-to-print variation

in toner usage. The output from the P+I controller 57a represents a preliminary toner replenishment signal TR.sub.p. The signal TR.sub.p may be modified in block 57e with a signal that provides adjustment for toner take out based on pixel count to generate the replenishment signal TR. Where the exposure system relies on electro-optical exposure of the photoconductive belt the take out of toner will be related to the number of pixels exposed, assuming that this is a discharged area development process. Where the electro-optical exposure source is of a gray level or multibits per pixel, the **count signal may keep track of accumulating grey level exposures and weigh the count accordingly so as to be related to toner take out. The use of pixel counting to modify a toner replenishment signal is known,** as discussed in U.S. Patent No. 5,649,266, and is considered to be optional to the process and apparatus of this invention."

The Examiner further argues that Regelsberger teaches reassigning the digital value of one or more of pixels independently as a function of the density measurement signal (which reads on counting the pixels) by citing the following passage of Regelsberger:

"The signal V.sub.MON is compared by a comparator 57b with the signal T.sub.ref and a difference signal .DELTA. is input to a proportional plus integral (P+I) type controller 57a or algorithm that operates as such a controller. The P+I controller is tuned for a relatively fast response to input signals .DELTA. Like V.sub.MON, .DELTA. may change quickly owing to print-to-print variation in toner usage. The output from the P+I controller 57a represents a preliminary toner replenishment signal TR.sub.p. The signal TR.sub.p may be modified in block 57e with a **signal that provides adjustment for toner take out based on pixel count to generate the replenishment signal TR.** Where the exposure system relies on electro-optical exposure of the photoconductive belt **the take out of toner will be related to the number of pixels exposed,** assuming that this is a discharged area development process. Where the electro-optical exposure source is of a gray level or multibits per pixel, **the count signal may keep track of accumulating grey level exposures and weigh the count accordingly so as to be related to toner take out. The use of pixel counting to modify a toner replenishment signal is known,** as discussed in U.S. Patent No. 5,649,266, and is considered to be optional to the process and apparatus of this invention."

Applicant's believe this is not a teaching of what is claimed, namely **reassigning the digital value of** one or more interior **pixels**, edge pixels, one line pixels, or two line pixels **independently** and **as a function of the density measurement signal**. Regelsberger teaches counting pixels to modify a toner replenishment signal.

Since Regelsberger fails to teach all the limitations of any of the independent claims, it also fails to teach all of the limitations of any of the dependent claims. Therefore, a prima facie case of anticipation of claims 1-3, 6-9, 12-15, 18-21 and 24 has not been made.

2.   Claims 4, 5, 10, 11, 16, 17, 22 and 23 are rejected as being obvious over Regelsberger in view of Takamatsu, because it would have been obvious to have modified Regelsberger wherein the value of edge pixels are increased or decreased.

In order to establish a prima facie case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. The teaching or suggestion to make the claimed combination must be found in the prior art and not based on applicant's disclosure. The mere fact that the prior art may be modified in the manner suggested does not make the modification obvious unless the prior art suggests the desirability of the modification. Regelsberger and Takamatsu fail to suggest any motivation for, or desirability of, the changes espoused. Here, hindsight is relied upon to arrive at the determination of obviousness. It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. Hindsight reconstruction cannot be used to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention.

The Examiner states "it would have been obvious to have modified Regelsberger wherein the value of edge pixels are increased or decreased". This does not, however, amount to a teaching or suggestion adequate to support a prima facie obviousness rejection for the claimed features.

It is respectfully submitted that this does not amount to a proper teaching or suggestion in the prior art and that the references have been brought
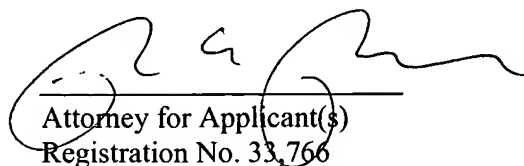
together through the use of an impermissible amount of hindsight and the teaching of the present invention, and not the references themselves. The references themselves teach the respective uses of their respective arrangements for their respective purposes. The mere fact that the prior art could be modified would not have made the modification obvious unless the prior art suggested the desirability of the modification.

Also, in order to establish a prima facie case of obviousness, the prior art references must teach or suggest all the claim limitations. While applicant's take issue with the proposed combination, even if a person of ordinary skill in the art would find it obvious to combine the teachings of Regelsberger and Takamatsu as suggested, the claimed features still would not be met. Specifically, it is respectfully submitted that neither Regelsberger or Takamatsu either singularly or in combination, disclose or suggest reassigning the digital value of one or more interior pixels, edge pixels, one line pixels, or two line pixels independently and as a function of the density measurement signal.

Therefore, a combination of Regelsberger and Takamatsu fails to teach or suggest all limitations of Claims 4, 5, 10, 11, 16, 17, 22 and 23.

In view of the above reasons, it is submitted that claims 1-24 are not obvious over the combined teachings of Regelsberger and Takamatsu and that the application is now in condition for allowance, and notice of the same is hereby respectfully requested.

Respectfully submitted,

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